

Ridgely, Russell, Schley, Scott, Smith, of Dorchester, Smith, of Worcester, Stirling, Stockbridge, Sykes, Valliant, Wooden—41.

*Nays*—Messrs. Annan, Bond, Brown, Davis, of Charles, Davis, of Washington, Edelen, Keefer, Lee, Markey, Mayhugh, Mitchell, Miller, Nyman, Parran, Purnell, Robinette, Sands, Swope, Todd, Wickard—20.

The motion was accordingly agreed to, fixing the salary of the superintendent of public schools at twenty-five hundred dollars.

Mr. SCHLEY, when his name was called, said: The evident tone of the house, as disclosed by the vote thus far, on the yeas and nays, has induced me to reconsider my purpose of offering a different amendment, and for fear that if this proposition is not adopted, worse may come, I vote "aye."

Mr. MILLER. I move as a further amendment to this section to strike out the words "exclusive of office and travelling expenses," and insert "and such additional sum for travelling and incidental expenses as the general assembly may by law allow."

Mr. CUSHING. I have no objection at all to that.

Mr. PURNELL. I have an amendment somewhat similar to that, though not in exactly the same language. I move to amend the part proposed to be stricken out, in this way: strike out the word "exclusive," and insert the word "inclusive." It will then read "inclusive of office and travelling expenses."

Mr. DANIEL. The effect of that will be to make the superintendent pay his own office and travelling expenses out of his salary of twenty-five hundred dollars.

Mr. CUSHING. I think that would be very unfair, after having reduced his salary to twenty-five hundred dollars, especially as we require him to travel over all the State. If a man is appointed who is in the slightest degree unfit for the place, and it costs much to travel, he will not travel but will stay at home. You want a man to travel all over the State, and now you propose to make him pay his own travelling expenses. I do not think that is right.

The question being then taken upon the motion of Mr. PURNELL, to strike out the word "exclusive" and insert the word "inclusive," it was not agreed to.

The question recurred upon the amendment of Mr. MILLER.

Mr. STOCKBRIDGE. Instead of saying "such additional sum as the general assembly shall allow," it would perhaps be better to have it read "such additional sum as shall be incurred, audited and approved by the board of education." It seems to me it would be better to have the matter approved by that board than have it fixed by the general assembly. I therefore move to amend the amendment by striking out all after the word "expenses," and inserting "as shall be incurred, audited and approved by the

board of education." It will then read: Strike out the words "exclusive of office and travelling expenses," and insert "such additional sum for travelling and incidental expenses as shall be incurred, audited and approved by the board of education."

Mr. DANIEL. There is no board of public education established.

Mr. STOCKBRIDGE. Look at the third section of this report.

Mr. DANIEL. Well, I think that until we agree to that section, I must vote against the amendment.

The question being taken upon the amendment to the amendment, it was rejected.

The question recurring upon the amendment moved by Mr. MILLER.

Mr. STOCKBRIDGE. That does not prescribe whether this additional sum for expenses is to be fixed beforehand or afterwards. It seems to me there will be a practical difficulty under it. If the superintendent goes on and incurs expenses, and the legislature refuses to allow them, where will he be?

Mr. MILLER. When the claim is made it goes before the committee on claims, and the legislature will pass the amount in the general appropriation bill. And they may then provide by law fixing a sum which it shall not exceed.

Mr. STOCKBRIDGE. They may not pass the claim, and then it will have to lie over two years.

The question was upon the amendment of Mr. MILLER, as follows:

Strike out the words "exclusive of office and travelling expenses," and insert "and such additional sum for travelling and incidental expenses as the general assembly may by law allow."

The question being taken, the amendment was adopted.

Mr. KING. I desire to make an inquiry of the chair. This section says: "The governor shall, by and with the advice and consent of the senate, appoint within ten days after the ratification by the people of this constitution, a State superintendent of public instruction," &c. Now, will it be necessary for the governor to call the senate together on that occasion?

The PRESIDENT. The governor appoints in the recess; and when the senate assembles they confirm or reject that appointment.

Mr. STIRLING. I think the governor took the same view which the gentleman from Baltimore county (Mr. King) suggests, in regard to an office created by an act of the last general assembly. He took the ground that there was no vacancy to fill, because there had been no antecedent in office.

Mr. SANDS. I think we better provide for the difficulty. For it was no longer ago than yesterday morning that I heard the governor speak of the matter, and I am sure under his construction he would not feel at